

REMARKS

This Amendment After Final Rejection is submitted in response to the outstanding final Office Action, dated February 20, 2007. Claims 1 through 45 are presently pending in the above-identified patent application. In this response, Applicants
5 propose to amend claims 1, 2, 20, and 33. No additional fee is due.

This amendment is submitted pursuant to 37 CFR §1.116 and should be entered. The Amendment places all of the pending claims, i.e., claims 1 through 45, in a form that is believed allowable, and, in any event, in a better form for appeal. It is believed that examination of the pending claims as amended, which are consistent with
10 the previous record herein, will not place any substantial burden on the Examiner. In any case, an RCE is being submitted herewith.

In the Office Action, the Examiner objected to claim 2 due to an indicated informality, and rejected claims 1-45 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter
15 which applicant regards as the invention. The Examiner also rejected claims 1-5, 10, 14, 15, 18-22, 26, 30-35, 39, and 43-45 under 35 U.S.C. §103(a) as being unpatentable over Miller et al. (United States Patent Application Publication Number 2002/0026369) in view of Goldberg et al. (United States Patent Number 6,985,885), and rejected claims 6-9, 11-13, 16, 17, 23-25, 27-29, 36-38, and 40-42 are rejected under 35 U.S.C. §103(a) as
20 being unpatentable over Miller et al. in view of Goldberg et al., and further in view of Haddawy (“An Overview of Some Recent Developments in Bayesian Problem-Solving Techniques,” AI Magazine, La Canada, Summer 1999, Vol. 20, Issue 2, page 11, 9 pages).

Formal Objections

25 Claim 2 is objected to due to an indicated informality. In particular, the Examiner asserts that the word “ate” should be “at.”

Claim 2 has been amended to correct the cited typographical error.

Section 112 Rejections

Claims 1-45 are rejected under 35 U.S.C. §112, second paragraph, as
30 being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Examiner notes that the

independent claims were amended to recite “wherein said request comprises non-textual information,” and asserts that the examples of non-textual information (spectral bands, spatial texture and/or weather pattern(s), and ground moisture) presented by the Applicant are representative of information goods and not a request.

5 Applicants note that, as would be apparent to a person of ordinary skill in the art, requests can comprise information. In the present invention, requests may comprise non-textual information, i.e., information that is in a *non-textual* format. Thus, contrary to the Examiner’s assertion, *requests may comprise non-textual information* and the limitation “wherein said request comprises non-textual information” particularly 10 points out and distinctly claims the subject matter which applicant regards as the invention.

Independent Claims 1, 20 and 33

Independent claims 1, 20, and 33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Miller et al. in view of Goldberg et al. Regarding claim 1, the 15 Examiner asserts that Miller discloses collecting a request from a buyer for a requested good (paragraph [0007]). The Examiner further asserts that the limitation “wherein said request comprises non-textual information” is interpreted to mean that the requested information good is a digital information good.

Applicants note that the present specification teaches that a request can 20 comprise information that is *not* in a textual format. For example, non-textual information includes spectral bands (page 22, lines 18-24), spatial texture and/or weather pattern(s) (page 23, lines 4-12), and ground moisture (page 23, line 27, to page 24, line 5). Thus, contrary to the Examiner’s assertion, a request may comprise non-textual information and the limitation “wherein said request comprises non-textual information” 25 *does not simply mean* that the requested information good is a digital information good, but means the information is *not* textual information. Miller, however, teaches that “a system, method and article of manufacture are provided for matching products to a *textual request*.” (See, paragraph [0007]; emphasis added.) Applicants could find no disclosure or suggestion of collecting a request from a buyer for a requested information good, *wherein the request comprises non-textual information*. In addition, independent 30 claims 1, 20, and 33 have been amended to require analyzing the request and the non-

textual information to create additional information from the request. (Support for this limitation can be found on pages 22-24 of the originally filed specification.)

5 Thus, Miller et al. and Goldberg et al., alone or in combination, do not disclose or suggest analyzing the request and the non-textual information to create additional information from the request, as required by independent claims 1, 20, and 33, as amended.

Additional Cited References

10 Haddaway was also cited by the Examiner for its disclosure, for example, that “any Bayesian network inference algorithm can be used.” Applicants note, however, that Haddaway does *not* address the issue of analyzing a request and non-textual information to create additional information from the request.

Thus, Haddaway does not disclose or suggest analyzing the request and the non-textual information to create additional information from the request, as required by independent claims 1, 20, and 33, as amended.

15 Claims 6 and 36

Claims 6 and 36 are rejected under 35 U.S.C. §103(a) as being unpatentable over Miller et al. in view of Goldberg et al., and further in view of Haddaway. In particular, the Examiner acknowledges that Miller and Goldberg do not specifically disclose creating at least one inference from each of the offered information goods, but asserts that Haddaway teaches the topic of inference in Bayesian networks.

20 Applicants note, however, that neither Miller nor Goldberg nor Haddaway discloses or suggests creating at least one inference *from offered information goods*, and that *none of the cited references* disclose or suggest combining the technique(s) of Haddaway with the inventions of either Miller or Goldberg.

25 Thus, Miller et al., Goldberg et al., and Haddaway, alone or in combination, do not disclose or suggest creating at least one inference from each the offered information goods, as required by claims 6 and 36.

Dependent Claims 2-19, 21-32 and 34-45

30 Dependent claims 2-5, 10, 14, 15, 18, 19, 21, 22, 26, 30-32, 34, 35, 39, and 43-45 were rejected under 35 U.S.C. §103(a) as being unpatentable over Miller et al. in view of Goldberg et al., and claims 6-9, 11-13, 16, 17, 23-25, 27-29, 36-38, and 40-42

were rejected under 35 U.S.C. §103(a) as being unpatentable over Miller et al. in view of Goldberg et al., and further in view of Haddawy.

Claims 2-19, 21-32, and 34-45 are dependent on claims 1, 20, and 33, respectively, and are therefore patentably distinguished over Miller et al., Goldberg et al., and Haddaway (alone or in any combination) because of their dependency from amended independent claims 1, 20, and 33 for the reasons set forth above, as well as other elements these claims add in combination to their base claim.

All of the pending claims, i.e., claims 1-45, are in condition for allowance and such favorable action is earnestly solicited.

If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

The Examiner's attention to this matter is appreciated.

15

Respectfully submitted,



Date: May 18, 2007

20

Kevin M. Mason
Attorney for Applicants
Reg. No. 36,597
Ryan, Mason & Lewis, LLP
1300 Post Road, Suite 205
Fairfield, CT 06824
(203) 255-6560